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EXAMINER

WONG, LESLIE

ART UNIT PAPER NUMBER

2167

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/055,828	Applicant(s) REED ET AL.	
	Examiner Leslie Wong	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicants' amendments, submitted on 19 November 2004, overcome the objection to the Title of the invention. Examiner hereby withdrawn the objection that was given in the Office Action dated 05 March 2004.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 14-16, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kesel** (U.S. Patent 6,026,387) in view of **Olson et al.** ("Olson") (US 20040018477 A1).

Regarding claim 1, **Kesel** teaches a method executed by a system comprising:

- a). **'receiving customer feedback'** as consumer desires a variety of sizes in Liz Claiborne sweaters in sportswear via a consumer feedback apparatus (Fig. 3 and col. 4, lines 43-51; col. 8, line 66 - col. 9, line 4);
- b). **'analyzing words in the customer feedback'** as raw comment is analyzed and converted to a normalized representation comprising a comment

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category, at least one descriptor, at least one dimension and a attitude (col. 6, lines 45-50; col. 5, lines 60-61);

c). **'associating at least some of the words with respective one or more values'** as each comment is assigned an attitude characteristic which provides an indicator of the overall attitude expressed in the oral comment by the consumer such as poor, good, and excellent (col. 8, lines 55-62; col. 9, lines 10-17);

d). **'generating an indication to rate customer feedback based on the one or more values'** as the analyzer selects the terms that best reflects the characteristic of the comment being normalized (col. 9, lines 13-17; col. 2, lines 9-22).

Kesel does not explicitly teach an automated system without requiring intervention by a human user.

However, **Olson** teaches **'an automated system without requiring intervention by a human user'** as a computer-based training tool and method that emulates human behavior using a computer-simulated person in a realistic scenario. At the end of the interview the system provides a critique and numerical score for each training session (abstract, ¶s 0048, 0056-0058, and 0091).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Olson's** teaching would have allowed **Kesel's** to increase the effectiveness of an evaluation of the user's response by producing a numerical score which reflects the responses to questions in order to determine the flow of the user's emotions as suggested by **Olson** at 0088, 0091; abstract.

Regarding claim 14, **Kesel** teaches an article comprising at least one storage medium containing instructions that when executed causes a system to:

a). **'analyzing words in the customer feedback'** as raw comment is analyzed and converted to a normalized representation comprising a comment category, at least one descriptor, at least one dimension and a attitude (col. 6, lines 45-50; col. 5, lines 60-61);

b). **'associating at least some of the words with respective one or more values'** as each comment is assigned an attitude characteristic which provides an indicator of the overall attitude expressed in the oral comment by the consumer such as poor, good, and excellent (col. 8, lines 55-62; col. 9, lines 10-17);

c). **'generating an indication to rate customer feedback based on the one or more values'** as the analyzer selects the terms that best reflects the characteristic of the comment being normalized (col. 9, lines 13-17; col. 2, lines 9-22).

Kesel does not explicitly teach an automated system without requiring intervention by a human user.

However, **Olson** teaches **'an automated system without requiring intervention by a human user'** as a computer-based training tool and method that emulates human behavior using a computer-simulated person in a realistic scenario. At the end of the interview the system provides a critique and numerical score for each training session (abstract, ¶¶s 0048, 0056-0058, and 0091).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Olson's** teaching would have allowed **Kesel's** to increase the effectiveness of an evaluation of the user's response by producing a numerical score which reflects the responses to questions in order to determine the flow of the user's emotions as suggested by **Olson** at 0088, 0091; abstract.

Regarding claim 15, **Kesel** further teaches wherein **'the instructions when executed causes the system to generate the indication by generating an indication of customer satisfaction or dissatisfaction'** as each comment is assigned an attitude characteristic which provides an indicator of the overall attitude expressed in the oral comment by the consumer (col. 8, lines 56-62; col. 2, lines 19-22).

Regarding claim 16, **Kesel** further teaches wherein **'the instructions when executed causes the system to generate the indication by generating an indication of customer approval or disapproval'** as each comment is assigned an attitude characteristic which provides an indicator of the overall attitude expressed in the oral comment by the (i.e., good, desired, and excellent) consumer (col. 8, lines 56-62; col. 2, lines 19-22).

Regarding claim 25, **Kesel** teaches a system comprising:

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a). **'one or more storage modules to store rating data associating a list of predefined words with respective values'** as ranking the each of the selected categories as poor, less than satisfactory, satisfactory, excellent which may be reflective of a numerical range of 1 to 4 inclusive (col. 2, lines 19-22);

b). **'a controller adapted to analyzed words in customer feedback and to generate an indication to rate the customer feedback based on a comparison of words in the customer feedback'** as raw comment is analyzed and converted to a normalized representation comprising a comment category, at least one descriptor, at least one dimension and a attitude (col. 6, lines 45-50; col. 5, lines 60-61; col. 8, lines 56-62).

Kesel does not explicitly teach an automated system that rates data all without requiring intervention by a human user.

However, **Olson** teaches **'an automated system that rates data, all without requiring intervention by a human user'** as a computer-based training tool and method that emulates human behavior using a computer-simulated person in a realistic scenario. At the end of the interview the system provides a critique and numerical score for each training session (abstract, ¶s 0048, 0056-0058, and 0091).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Olson's** teaching would have allowed **Kesel's** to increase the effectiveness of an evaluation of the user's response by producing a numerical score which reflects the responses to

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questions in order to determine the flow of the user's emotions as suggested by **Olson** at 0088, 0091; abstract.

Regarding claim 26, **Kesel** further teaches '**the one or more modules to store the rating data in a first relational table**' as ranking the each of the selected categories as poor, less than satisfactory, satisfactory, excellent which may be reflective of a numerical range of 1 to 4 inclusive (col. 2, lines 19-22).

4. Claims 2-7, 12, 13, 18-24, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kesel** (U.S. Patent 6,026,387) in view of **Olson et al.** ("Olson") (US 20040018477 A1) as applied to claims 1, 14-16, 25, and 26 above and in view of **Kriens et al.** ('Kriens' hereinafter) (U.S. Patent 5,864,862).

Regarding claims 2, **Kesel** further teaches '**defining a data type having one or more data structures for storing predefined words and associated values**' as a database representations of predetermined list of terms, or words associated with each characteristic in normalized representations for monitoring levels of customer satisfaction according to a provider-defined index (col. 9, lines 20-27; col. 6, lines 6-12).

Kesel and **Olson** do not explicitly teach '**defining a user-defined data type**'.

Kriens, however, teaches **defining a user-defined data type** based on upon the fundamental types defined in a programming language (col. 4, lines 60-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Kriens's**

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teaching would have allowed **Kesel 's** to provide users with a mechanism to extend user's concepts and attach a specific meaning to data so that it becomes easier to work with as indicated by **Kriens** (col. 3, lines 56-62).

Regarding claim 3, **Kesel** and **Olson** do not explicitly teach wherein the one or more data structures comprise an array of the predefined words and associated values.

Kriens, however, teaches wherein the '**one or more data structures comprise an array of the predefined words and associated values**' as a list of zero to n elements used to store information of the same type (col. 5, lines 5-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Kriens 's** teaching would have allowed **Kesel- Olson's** to quickly access to the stored data by permitting indexed access to one or more of its elements using a numeric index as indicated by **Kriens** (col. 5, lines 9-11).

Regarding claim 4, **Kesel** further teaches invoking '**a first routine associated with the user-defined data type to load the predefined words and respective values in the one or more data structures**' as Table 1 lists the comment categories, Table 2 lists the descriptors of the categories, and Table 3, lists the dimension characteristics and definitions for the categories (col. 7, line 5 – col. 8, line 62; col. 11, lines 35-39).

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Regarding claim 5, **Kesel** further teaches **'invoking a second routine associated with the user-defined data type to calculate a score based on the words in the customer feedback and content of the one or more data structures, wherein generating the indication is based on the score'** as ranking the each of the selected categories as poor, less than satisfactory, satisfactory, excellent which may be reflective of a numerical range of 1 to 4 inclusive (col. 2, lines 19-22).

Regarding claim 6, **Kesel** further teaches wherein **'invoking the first and second routines comprises invoking functions associated with the user-defined data type'** as highlighting the characteristic brings up a window which displays the available predetermined list of terms for that characteristic (col. 9, lines 13-17; col. 7, line 5 – col. 8, line 62; col. 11, lines 35-39).

Regarding claim 7, **Kesel** further teaches **'storing the one or more data structures in a first relational table'** as the normalized comment is recorded in a relational database accessible through the microprocessor computer (col. 9, lines 32-64 and lines 13-17).

Regarding claim 12, **Kesel** further teaches wherein **'receiving the customer feedback comprises translating voice feedback to text feedback'** as the consumer feedback apparatus uses a microphone which is linked directly to a microprocessor for direct voice-to-text conversion (col. 11, lines 35-38).

Regarding claim 13, **Kesel** further teaches wherein **'receiving the customer feedback comprises receiving the customer feedback in a database system'** as consumer normalized comment is recorded in a database (col. 9, lines 32-34).

Regarding claim 18, **Kesel** further teaches wherein **'the instructions when executed cause the system to store rating data according to a user-defined data type, the rating data associating a list of predefined words with respective values'** as ranking the each of the selected categories as poor, less than satisfactory, satisfactory, excellent which may be reflective of a numerical range of 1 to 4 inclusive (col. 8, lines 56-62; col. 2, lines 19-22).

Regarding claim 19, **Kesel** further teaches wherein **'the instructions when executed cause the system to associate the at least some of the words in the customer feedback with the one or more values based on the rating data'** as ranking the each of the selected categories as poor, less than satisfactory, satisfactory, excellent which may be reflective of a numerical range of 1 to 4 inclusive (col. 8, lines 56-62; col. 2, lines 19-22).

Regarding claim 20, **Kesel** further teaches **'the instructions when executed cause the system to store a negative value for a word having a negative connotation and a positive value for a word having a positive connotation in the**

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rating data' as ranking the each of the selected categories as poor, less than satisfactory, satisfactory, excellent which may be reflective of a numerical range of 1 to 4 inclusive (col. 8, lines 56-62; col. 2, lines 19-22). Although, **Kesel** does not particularly associate a negative value for a word having a negative connotation, the prior art associates a low value on the positive scale to indicate its negative ranking. Examiner submits that associating a low value to reflect a negative connotation word is equivalent to assigning a negative value to a word which has a negative connotation since they perform similar function: "express the level of dissatisfactions in consumer's comment". [**Chase** discloses a system for connotative analysis with 8-point (i.e., 0-8) scale to capture a range of emotions: four categories of positive emotions and four categories of negative emotions, see col. 4, lines 9-35 of U.S. Patent 6,332,143.]

Regarding claim 21, **Kesel** teaches wherein **'the instructions when executed cause the system to store modifier values for adjectives to increase the positive and negative values of the words'** as the analyzer selects the terms that best reflects the characteristic of the comment. For example, if the consumer is *satisfied* with the product, the assigned attitude will be good"; on the other hand, if he/she is *very satisfied* with the product then the assigned attitude will be "excellent". Thus, the increasing or decreasing levels of consumer satisfactions have been factored in with the provider-defined index to correspond to consumer's perceptions (col. 9, lines 13-17).

Regarding claim 22, **Kesel** further teaches wherein **'the instructions when executed cause the system to invoke a first routine to generate the indication'** as the analyzer selects the terms that best reflects the characteristic of the comment being normalized (col. 9, lines 13-17 col. 2, lines 9-22).

Regarding claim 23, **Kesel** further teaches wherein **'the instructions when executed cause the system to invoke the first routine by invoking a function associated with the data type'** as a database representations of predetermined list of terms, or words associated with each characteristic in normalized representations for monitoring levels of customer satisfaction according to a provider-defined index (col. 9, lines 20-27; col. 6, lines 6-12).

Kesel and **Olson** do not explicitly teach **'defining a user-defined data type'**.

Kriens, however, teaches **defining a user-defined data type** based on upon the fundamental types defined in a programming language (col. 4, lines 60-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Kriens's** teaching would have allowed **Kesel-Olson's** to provide users with a mechanism to extend user's concepts and attach a specific meaning to data so that it becomes easier to work with as indicated by **Kriens** (col. 3, lines 56-62).

Regarding claim 24, **Kesel** further teaches wherein **'the instructions when executed cause the system to invoke a second routine to load the rating data into**

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a relational table' as analyzer selects the terms that best reflects the characteristic of the comment being normalized and the normalized comment is recorded in a database accessible through the microprocessor computer (col. 9, lines 13-34).

Regarding claim 26, **Kesel** further teaches further teaches **'the one or more modules to store the rating data in a first relational table'** as ranking the each of the selected categories as poor, less than satisfactory, satisfactory, excellent which may be reflective of a numerical range of 1 to 4 inclusive (col. 2, lines 19-22).

Regarding claim 27, **Kesel** further teaches **'the one or more modules to store the rating data as a data type in the first relational table'** as a database representations of predetermined list of terms, or words associated with each characteristic in normalized representations for monitoring levels of customer satisfaction according to a provider-defined index (col. 9, lines 20-27; col. 6, lines 6-12).

Kesel and **Olson** do not explicitly teach **'defining a user-defined data type'**.

Kriens, however, teaches **defining a user-defined data type** based on upon the fundamental types defined in a programming language (col. 4, lines 60-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Kriens's** teaching would have allowed **Kesel-Olson's** to provide users with a mechanism to extend user's concepts and attach a specific meaning to data so that it becomes easier to work with as indicated by **Kriens** (col. 3, lines 56-62).

Regarding claim 28, **Kesel** further teaches '**one or more storage modules to store the customer feedback in a second relational table**' as the normalized comment is recorded in a relational database accessible through the microprocessor computer (col. 9, lines 32-64).

5. Claims 8-9 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kesel** (U.S. Patent 6,026,387) in view of **Olson et al.** ("Olson") (US 20040018477 A1) and further in view of **Kriens et al.** ('Kriens' hereinafter) (U.S. Patent 5,864,862) as applied to claims 2-7, 12, 13, 18-24, 27, and 28 and further in view of **Trout** (U.S. Patent 5,566,349).

Regarding claim 8, **Kesel** further teaches '**storing customer feedback in a second relational table**' as the normalized comment is recorded in a relational database accessible through the microprocessor computer (col. 9, lines 32-64).

Kesel, Olson, and Kriens do not explicitly teach wherein generating the indication is based on performing a join of the first and second relational tables.

Trout, however, teaches '**performing a join of the first and second relational tables**' as DML shall provide for data representing multiple tables (col. 37, lines 27-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Trout's** teaching would have allowed **Kesel-Olson-Kriens's** to provide the requested data via

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joining multiple tables in order to retrieve meaningful data as indicate by **Trout** (col. 37, lines 29-32).

Regarding claim 9, **Kesel, Olson, and Kriens** do not explicitly teach distributing the relational table across plural access modules.

Trout, however, teaches '**distributing the relational table across plural access modules**' as access data in a distributed database system that is partitioned across multiple, interconnected systems (col. 38, lines 35-42).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Trout's** teaching would have allowed **Kesel-Olson-Kriens's** to improve system performance and implementation cost as indicate by **Trout** (col. 1, lines 10-15; col. 4, lines 20-23; 36-37 and 40-46).

Regarding claim 29, **Kesel** further teaches '**perform the comparison**' as compare comments from one store with another (col. 9, lines 41-48).

Kesel, Olson, and Kriens do not explicitly teach wherein the controller is adapted to perform a join of the first and second relational tables.

Trout, however, teaches '**performing a join of the first and second relational tables**' as DML shall provide for data representing multiple tables (col. 37, lines 27-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Trout's**

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teaching would have allowed **Kesel- Olson- Kriens'** to provide the requested data via joining multiple tables in order to retrieve meaningful data as indicate by **Trout** (col. 37, lines 29-32).

Regarding claim 30, **Kesel** further teaches '**wherein the controller comprises a fist routine to perform the comparison**' as entering a second store identifier in field 93 enables the apparatus to select and compare comments from one store with another (col. 9, lines 41-48).

Regarding claim 31, **Kesel** further teaches '**wherein the first routine is a function associated with the data type**' as a database representations of predetermined list of terms, or words associated with each characteristic in normalized representations for monitoring levels of customer satisfaction according to a provider-defined index (col. 9, lines 20-27; col. 6, lines 6-12).

Kesel and **Olson** do not explicitly teach '**user-defined data type**'.

Kriens, however, teaches a **user-defined data type** based on upon the fundamental types defined in a programming language (col. 4, lines 60-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Kriens's** teaching would have allowed **Kesel-Olson's** to provide users with a mechanism to extend user's concepts and attach a specific meaning to data so that it becomes easier to work with as indicated by **Kriens** (col. 3, lines 56-62).

Regarding claim 32, **Kesel** further teaches wherein **'the controller further comprises a second routine to load the rating data'** as analyzer selects the terms that best reflects the characteristic of the comment being normalized and the normalized comment is recorded in a database accessible through the microprocessor computer (col. 9, lines 13-34).

6. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kesel** (U.S. Patent 6,026,387) in view of **Olson et al.** ("Olson") (US 20040018477 A1) and further in view of **Kriens et al.** ('Kriens' hereinafter) (U.S. Patent 5,864,862) as applied to claims 2-7, 12, 13, 18-24, 27, and 28 and further in view of **Bossemeyer, Jr. et al.** ('Bossemeyer' hereinafter) (U.S. Patent 6,510,427 B1).

Regarding claim 10, **Kesel, Olson, and Kriens** do not explicitly teach receiving the customer feedback comprises receiving the customer feedback in electronic mail.

Bossemeyer, however, **'receiving the customer feedback comprises receiving the customer feedback in electronic mail'** as data formatter identifies the received digital message as an electronic submission such as an email message (col. 12, lines 15-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Bossemeyer's** teaching would have allowed **Kesel-Olson-Kriens's** to simplified the

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acquisition of consumer feedback regarding the goods and services offered by the provider to determined where improvements in products or services should be made as indicated by **Bossemeyer** (col. 1, line 38 col. 2, line 4).

Regarding claim 11, **Kesel, Olson, and Kriens** do not explicitly teach wherein receiving the customer feedback comprises receiving customer-entered feedback at a web server.

Bossemeyer, however, 'receiving the customer feedback comprises receiving customer-entered feedback at a web server' as data formatter identifies the received digital message as an electronic submission such as a web page (col. 12, lines 15-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Bossemeyer's** teaching would have allowed **Kesel-Olson-Kriens's** to simplified the acquisition of consumer feedback regarding the goods and services offered by the provider to determined where improvements in products or services should be made as indicated by **Bossemeyer** (col. 1, line 38 col. 2, line 4).

7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Kesel** (U.S. Patent 6,026,387) in view of **Olson et al.** ("Olson") (US 20040018477 A1) as applied to claims 1, 14-16, 25, and 26 above and in view of **Chase** (U.S. Patent 6,332,143 B1).

Regarding claim 17, **Kesel** and **Olson** do not teach wherein **'the instructions when executed cause the system to generate the indication by generating an indication of customer emotion'**.

Chase, however, teaches a system for connotative analysis with 8-point (i.e., 0-8) scale to capture a range of emotions: four categories of positive emotions and four categories of negative emotions (col. 4, lines 9-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of the cited references because **Chase 's** teaching would have allowed **Kesel-Olson's** to examine and interpret the response of individual's position and better understand the individual's attitude toward the concept of the object being rated as indicated (col. 2, lines 57-61).

Response to Argument

8. Applicants' argue that Kesel does not show, nor does he even suggest, an automated system that is capable of analyzing words in customer feedback and generating an indication to rate that feedback without requiring intervention by a human user. The above argument has been addressed by a newly cited reference **Olson** and thus, applicants' argument is moot in view of the new ground(s) of rejection.

Conclusion

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is (571) 272-4120. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Leslie Wong
Patent Examiner
Art Unit 2167

LW
April 11, 2005